

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

109+263

2025:PHHC:112585



CRR-1935-2025 (O&M)

Date of decision: 25.08.2025.

MUKESH KUMAR

...Petitioner(s)

VERSUS

PARDEEP AND ANOTHER

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Deepanshu Matya, Advocate,  
for the petitioner.

Mr. Ashish Choudhary, Advocate,  
for respondent No.1.

Mr. Vivek Chauhan, Addl. A.G. Haryana,  
for respondent No.2.

**VINOD S. BHARDWAJ, J. (Oral)**

CRM-30898-2025 and CRM-32718-2025

Since the main case itself is taken up for final hearing, application (CRM-30898-2025) praying for suspension of sentence during pendency of the revision petition and application (CRM-32718-2025) praying for early hearing are disposed of as having been rendered infructuous.

CRM-30898-2025; CRM-32716-2025 and CRM-32717-2025

Applications are allowed as prayed for subject to all just exceptions.

Annexures P-1 to P-7 are taken on record.

The Registry is directed to tag the same at an appropriate place.

Main case and CRM-32719-2025

The present revision petition has been filed against the judgment of conviction and order of sentence dated 16.01.2019 passed by the Judicial Magistrate First Class, Gurugram whereby the petitioner had been convicted for the commission of offence under Section 138 of the Negotiable Instruments Act, 1881 and had been sentenced to undergo simple imprisonment for a period of six months and to pay a compensation of Rs.15 lakhs to the respondent-complainant.

2 The appeal preferred by the petitioner against the aforesaid judgment of conviction and order of sentence was also dismissed by the Additional Sessions Judge, Gurugram vide judgment dated 25.07.2025.

3 Notice of motion had been issued in the instant writ petition on 07.08.2025.

4 Counsel for the respondent No.1-complainant had entered appearance on 21.08.2025.

5 Vide CRM-32716-2025, counsel for the petitioner has placed on record the document viz copies of two demand drafts for a sum of Rs.2,50,000/- each in favour of respondent-complainant. Further, affidavit of the respondent-complainant has also been appended affirming that the settlement has been arrived at amongst the parties. In addition to the aforesaid two demand drafts, the petitioner has also undertaken that balance amount of Rs.9 lakhs, as per settlement, shall be paid by the petitioner in nine equal monthly installments of Rs.1 lakh per month.

6 Counsel for the respondent-complainant acknowledges that the affidavit has been duly executed by the respondent-complainant and the matter already stands resolved in terms as aforesaid.

7 In the light of the settlement, offence under Section 138 of the Negotiable Instruments Act, 1881 is permitted to be compounded under Section 147 of the Act.

8 Counsel for the petitioner undertakes that he would ensure that terms of the settlement are duly adhered to and would have no objection in case the present revision petition is deemed to be dismissed in the event of the petitioner failing to pay the amounts as per the terms of the settlement arrived at amongst the parties.

9 Thus, judgment of conviction and order of sentence dated 16.01.2019 passed by the Judicial Magistrate First Class, Gurugram and the judgment dated 25.07.2025 passed by the Additional Sessions Judge, Gurugram dismissing the appeal preferred by the petitioner are set aside. The petitioner is acquitted of the offence under Section 138 of the Negotiable Instruments Act.

10 Needless to mention that in the event of the petitioner not complying with any/all the terms of settlement and/or committing default of the same, the present revision would be deemed to have been dismissed.

11 The petitioner, if confined in jail and is not required in any other case, shall be released forthwith, in accordance with law.

12 The present revision petition stands allowed in above terms.

August 25, 2025.  
raj arora

(VINOD S. BHARDWAJ)  
JUDGE

*Whether speaking/reasoned* : Yes/No  
*Whether reportable* : Yes/No